

Liggins, Shirley

From: Wahl, Tracy
Sent: Monday, November 30, 2015 11:27 AM
To: Aja, Deborah; Akroyd, Cathy R; Alexander, Delonda; Andersen, Jan; Barnhardt, Art; Basinger, Corey; Bateson, James; Bolich, Rick; Boyles, Sean; Bullock, Scott; Burch, Brent; Caulk, Kim; Cotton, Helen; Davidson, Landon; Davies, Bob; Day, Collin; Doorn, Peter; Gregson, Jim; Jackson, Vance; Jesneck, Charlotte; Knight, Sherri; Kromm, Carin; Lown, David; Marks, Cheryl; May, David; Mccarty, Bud; Mussler, Ed; Parker, Michael; Patterson, Jenny; Pitner, Andrew; Powers, Mark; Qi, Qu; Randolph, Wayne; Scott, Michael; Shackelford, Dennis; Smith, Danny; Tankard, Robert; Taraban, Ron; Walch, John; Watkins, Jason; Williford, Mike; Woosley, Julie
Cc: Scott, Michael; Nicholson, Bruce; Liggins, Shirley; Matt Parris
Subject: Internal Courtesy Brownfields Notice - 109 Roberts Street- Buncombe

To DEQ Cleanup Programs:

This is an internal courtesy notice to inform your program that the DEQ Brownfields Program has received a Brownfields Property Application submitted by the Berltx Real Estate Holdings, Inc., as the Prospective Developer (PD) seeking entry into the Brownfields Program to acquire the following property:

Site Name: 109 Roberts Street, Asheville AKA: Phil Mechanic Studios

Address: 109 Roberts Street

City/County/Zip: Asheville/Buncombe 28801

BF Project Number: 19076-15-11

Tax ID: 963897760100000

AKA:

Known Identifying Numbers:

None known at this time

Current Property Owner: Jolene Mechanic: 109 Roberts Street, Asheville, NC 28801

Map

Link: <https://www.google.com/maps/place/109+Roberts+St,+Asheville,+NC+28801/@35.5870173,-82.5692367,17z/data=!3m1!4b1!4m2!3m1!1s0x88598cb21c391abf:0x2adeacb0db783829>

We are now evaluating Berltx Real Estate Holdings, Inc., and the site for eligibility for entry into the Brownfields Program. Under the Brownfields Property Reuse Act, only entities that did not cause or contribute to the contamination at the property are eligible to enter the program. The applicant PD listed below have asserted that: 1.) they have not caused or contributed to the contamination at the property, and 2.) they have substantially complied with laws, regulations, and rules for the protection of the environment. If you have any information to suggest otherwise, please provide that information to me, as well as any available site information you may have, by **December 14, 2015**

Information regarding the applicant PD is as follows:

Berltx Real Estate Holdings, Inc.
Mr. James Lifshutz

215 West Travis
San Antonio, Texas 78205
james@lifshutz.com
210-225-6742

A Brownfields Agreement (BFA) has no legal effect on your agency's authority to regulate or enforce against any and all parties who caused or contributed to the contamination at the property. In fact, the BFA will require the developer to provide access to the property to any party doing work under any DEQ program.

A BFA provides liability protection only to a non-causative redeveloper of the property. The developer will be required to make the property safe for its intended re-use. Cleanup to unrestricted use standards will not be required unless deemed necessary based on the developer's proposed use of the property. Furthermore, the BFA will not change the developer's responsibility to obtain any and all DEQ permits (e.g. storm water, sediment control, NPDES, etc.) as required under applicable law.

If you have any questions, please don't hesitate to contact me.
As always, thank you so much for your time and attention - Tracy

Tracy L. Wahl
Brownfields Project Manager
NC DEQ - DWM
Direct line: 828-251-7460

The North Carolina Brownfields Program - Come Clean Up With Us Redevelopment and Land Recycling for a Sustainable Future www.ncbrownfields.org

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